



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5335

Introduced 2/8/2012, by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

50 ILCS 745/2

from Ch. 85, par. 2502

Amends the Firemen's Disciplinary Act. Adds the requirement that paramedics and EMT's must be employed full-time by a unit of local government to be considered a "fireman" for the purposes of the Act. Effective immediately.

LRB097 17806 KMW 63022 b

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Firemen's Disciplinary Act is amended by
5 changing Section 2 as follows:

6 (50 ILCS 745/2) (from Ch. 85, par. 2502)

7 Sec. 2. Definitions. For the purposes of this Act, unless
8 clearly required otherwise, the terms defined in this Section
9 have the meaning ascribed herein:

10 (a) "Fireman" means a person who is a "firefighter" or
11 "fireman" as defined in Sections 4-106 or 6-106 of the Illinois
12 Pension Code, a full-time paramedic employed by a unit of local
13 government, or a full-time ~~an~~ EMT employed by a unit of local
14 government, and includes a person who is an "employee" as
15 defined in Section 15-107 of the Illinois Pension Code and
16 whose primary duties relate to firefighting.

17 (b) "Informal inquiry" means a meeting by supervisory or
18 command personnel with a fireman upon whom an allegation of
19 misconduct has come to the attention of such supervisory or
20 command personnel, the purpose of which meeting is to mediate a
21 citizen complaint or discuss the facts to determine whether a
22 formal investigation should be commenced.

23 (c) "Formal investigation" means the process of

1 investigation ordered by a commanding officer during which the
2 questioning of a fireman is intended to gather evidence of
3 misconduct which may be the basis for filing charges seeking
4 his or her removal, discharge, or suspension from duty in
5 excess of 24 duty hours.

6 (d) "Interrogation" means the questioning of a fireman
7 pursuant to an investigation initiated by the respective State
8 or local governmental unit in connection with an alleged
9 violation of such unit's rules which may be the basis for
10 filing charges seeking his or her suspension, removal, or
11 discharge. The term does not include questioning as part of an
12 informal inquiry as to allegations of misconduct relating to
13 minor infractions of agency rules which may be noted on the
14 fireman's record but which may not in themselves result in
15 removal, discharge, or suspension from duty in excess of 24
16 duty hours.

17 (e) "Administrative proceeding" means any non-judicial
18 hearing which is authorized to recommend, approve or order the
19 suspension, removal, or discharge of a fireman.

20 (Source: P.A. 96-922, eff. 6-10-10.)

21 Section 99. Effective date. This Act takes effect upon
22 becoming law.